

EXHIBIT 1

**PLAINTIFFS' MORE DEFINITE STATEMENT OF FACT AS TO
THE ISLAMIC ASSEMBLY OF NORTH AMERICA**

1. Plaintiffs hereby incorporate all allegations and counts contained in the Third Amended Complaint in *Burnett, et al. v. Al Baraka Investment and Development Corp., et al.*, 03 MD 1570 (RCC), 03 CV 5738 & 03 CV 9849 and the Complaint in *World Trade Center Properties LLC, et al. v. Al Baraka Investment and Development Corp., et al.*, 03 MD 1570 (RCC); 04 CV 7280 (RCC).

I. U.S. CONTACTS AND JURISDICTION

2. The Islamic Assembly of North America (IANA) is a Michigan-based organization that has conducted significant and consistent business in the United States.

3. IANA was first incorporated on December 8, 1993 in Aurora, Colorado. The organization's current registered office is located at 3588 Plymouth Road, Ann Arbor, Michigan. IANA's president and chairman is Mohammed Al-Ahmari of Ann Arbor, Michigan. Its other corporate officers and directors include Abdulaziz Alsamani of Kansas City, Missouri; Islam Al-Murabet, of Detroit, Michigan; Bassem Khafagi of Ann Arbor, Michigan; Homam Al-Baroudi of Corvallis, Oregon and Alaa Abunijem of Portland, Oregon.

4. The IANA has sponsored numerous conferences in the United States.

5. In December 1993, a featured speaker at IANA's third annual convention was senior Al-Qaida recruiter Abdelrahman Al-Dosari (a.k.a. Shaykh Abu Abdel Aziz "Barbaros"). The title of Al-Dosari's speech was "Jihad & Revival." He lectured to the audience in English:

Fight for the sake of Allah—not fighting by shouting, not fighting by burning tires by the road... no, this is not the Muslim way... [It is] the fight... killing the enemy, and to be killed. And this [duty] is not new for Muslims, not new for Islam... It is required from every Prophet to perform Jihad... If you are not going to go for jihad, if you are not going to leave your business, not going to leave your family, not leaving this earth, and fighting in the sake of Allah, Allah(SWT) is going to punish you... Go alone, without any arms, without any weapons, without anything, you go. It is your duty. And Allah is responsible about your food and about your weapons and about everything... we will give you direction.

6. Al-Dosari also spoke in Arabic-language sessions at the 1993 IANA national conference. In these sessions, he lectured:

Allah is going to help certain people to control the world and this control will come according to certain Quranic verses and as we know Allah said be prepared for the enemy by all means. Also, Allah said he is going to give us Tamkeen

[control over the world]... it is a promise from Allah that those that believe in Allah and wage Jihad will go to Paradise. So to wage Jihad is one of the most important characteristics of the Believer... Whenever there is a pure Islam, there will be blessing or we will always be fighting with the enemy. Even the Prophet (SWS) participated in 27 battles and now we say that we are believers. Tell me Brothers, how many times you participated in Jihad or even thought about it? ...this western tool, democracy, is not our way to have the Tamkeen. We have to follow the path of Allah and listen to his word, 'Make ready against [the enemies of Allah] with the utmost of your power.'

Al-Dosari also spoke at IANA's third annual convention was held from December 21, 1995 to December 25, 1995 in Dearborn, Michigan.

7. In 1996, featured speakers at IANA's fourth annual convention included Shaykh Muhammad Al-Jibaly, the Chairman of al-Qur'an was-Sunnah Society. In an official reply to a letter from Bassem Khafagi and IANA, Al-Jibaly wrote:

If we check the list of Arabic lectures from your previous conferences, we find the following examples, 'Yemen, Past and Present,' 'Peace or New War'... 'Bleeding Wounds,' 'Peace with the Jews,' 'So that We are not Attacked from Within,' 'The Salaf and Judging the Rulers,' 'Political Oppression and the Progress of the Ummah', etc, etc. It is interesting to note that many of these political lectures were delivered by al-Ahmari, who is IANA's chairman.

8. General Sewart Al-Dhahab is a former military dictator of the Sudan, and is the current honorary President of the Sudanese Islamic Call Organization (ICO), a.k.a. *Al-Munzamaat Al-Dawa Al-Islamiyya* (MDI). During his term of martial law, Al-Dhahab upheld relative strict Islamic shari`a law in the Sudan. In 1985, his government initiated a deliberate policy "of arming Arab tribal groups" in order to offset the influence of the Sudanese People's Liberation Army (SPLA). Those Islamic militia groups have been subsequently accused of gross human rights violations, including the standardized practice of slave-trading. MDI/ICO's main Sudanese bank account for donations is hosted by the Al-Shamal Islamic Bank in Khartoum. Al-Shamal is reputed to have been created as a joint project between the Sudanese National Islamic Front (NIF) and Usama bin Laden, who allegedly invested \$50 million of his own personal funds in the bank. General Sewart Al-Dhahab was a featured speaker at IANA's fourth annual convention held in the U.S. in 1996.

9. Shaykh Salah Al-Sawi is rumored in Salafi Muslim circles to have been "warned about being of the Ikhwaanee Muslimeen [Muslim Brotherhood]." In response to a fatwa permitting American Muslims to fight in the war against the Taliban and Al-Qaida alliance in Afghanistan, Al-Sawi declared:

[N]either America nor anyone else possess irrefutable evidence supporting such formation of alliances and 'coalitions' ... In this manner, the fatwa

raced side by side with the Jewish media in blaming the Taliban as well as Osama bin Laden... the Al-Qaeda Network—as is well known amongst the observers of the affairs of the Islamic world, from East and West—is a Jihad movement, that originated to support the Afghani Jihad during the war with the Soviet Union. They were afflicted during this time with a goodly trial. This was according to the observation of the entire world. The first people to be aware of this were the decision-makers of the United States. These governments portrayed the returning fighters from Afghanistan as time bombs, bound to detonate at any moment at the foundations of the buildings of Arab organizations! This went to the extent that merely returning from Afghanistan was considered a great crime from every aspect, deserving nothing less than execution or lifetime imprisonment in some countries... They realized that their primary enemy was one that hides behind the scenes; one that manipulates many of the local leadership, as puppets in a puppet show are manipulated; one that stresses the enmity toward the Islamic Jihad in every location... This enemy [to them] is indeed represented by a strong, mighty, and global power, being led by the United States. He [Usama bin Laden] opened up his eyes and saw the ‘children of the rock’ being killed in Palestine with American weapons and American support... So is it wrong for a person to ask: Can there be any blame on the Al-Qaeda Network or other organizations for demanding on its list of demands, and prioritizing on its list of priorities the opposition to this overwhelming injustice?!”

10. In March 1997, IANA convened a three-day long “Islamic Creed” camp in Manhattan, Kansas with the cooperation of the local Islamic Center of Manhattan. One of the lecturers at the symposium was former IANA president Bassem Khafagi, who discussed “The Future of Da`wah [Islamic missionary work] in America.” Khafagi, an Egyptian national, was recently arrested in New York and is charged in Michigan with two counts of bank fraud.

11. IANA was characterized in a press release by the Saudi Arabian Embassy in Washington, DC as following the same beliefs of the Muslim Brotherhood, an Egyptian terrorist organization which was responsible for the assassination of Egyptian President Anwar Sadat.

12. IANA maintained a toll-free fatwa phone service. Among the religious leaders whose declarations are included in the service is Sheik Jamal Zarabozo, whose books were also sold in IANA’s Ypsilanti office. Zarabozo’s fatwas were frequently printed in the “Friday Report” produced by IANA’s predecessor, Dar Makkah. Zarabozo has accused Muslim modernists of breaking Islamic principles by opposing the stoning of adulterers and the killing of “apostates.” In another fatwa, he warned against visiting a Christian church to “watch people commit the greatest sin... You have no way of knowing what evil Satan may put into your heart by attending the gatherings wherein shirk (idolatry) is being committed.”

13. The IANA has been involved in financing and maintaining the following websites--www.iananet.org, www.ianaradionet.com, www.islamway.com, and www.alasr.ws.

14. The IANA parented an offshoot organization named Help the Needy that was incorporated in New York in November 2001.

15. According to Help the Needy's website:

HELP THE NEEDY was established in 1414 Hijri/ 1993 Gregorian, and is registered officially in the United States of America, for helping and assisting the needy among Iraqi Muslims. The people in charge of HELP THE NEEDY are volunteers that do not receive salaries, and all money collected by HELP THE NEEDY is given to the needy.

16. Corporate records, however, indicate that the above is misleading, as Help the Needy operated for many years as an unincorporated entity. Help the Needy became an assumed name for the Islamic Assembly of North America (IANA) on May 12, 2000. The charity operated out of Syracuse, New York, under the aegis of IANA until just after September 11, when it was officially incorporated in New York in November 2001 as Help the Needy Endowment, Inc.

17. For several years, Help the Needy was operating under the guise of a non-profit organization, but never even applied to the Internal Revenue Service for non-profit status until July 2002. The indictment of Help the Needy makes clear that the application for tax-exemption "included a false and misleading representation that HTN [Help the Needy] was an organization that recently concentrated on aiding the needy in the United States."

18. On February 26, 2003, federal authorities charged Dr. Rafil Dhafir, Maher Zagha, Ayman Jarwan, and Osameh al-Wahaidy with conspiring to funnel illegally at least 4 million dollars to Iraq. All but Maher Zagha, who remains in Jordan, were arrested and are in custody. In addition, the corporate entities Help the Needy and Help the Needy Endowment, Inc., were also charged.

19. Utilizing sham business identification and false social security numbers and birthdates, the conspirators established a small financial network whereby money was funneled from bank accounts established in New York to the Jordan Islamic Bank in Amman, and from there to individuals in Iraq.

20. Jarwan pled "guilty to a criminal conspiracy count and one count of tax fraud for misleading donors about the charity's lack of tax-exempt status." Al-Wahaidy pled guilty for violating U.S. sanctions against Iraq. Rafil Dhafir has pled not guilty, and Zagha remains free in Jordan.

21. While operating as a sham non-profit, Help the Needy provided money to organizations now designated as terrorist entities, Defendant SDGT Global Relief Foundation and Defendant SDGT Benevolence International Foundation.

22. Help the Needy donated at least twice to the SDGT Global Relief Foundation (GRF), which in December 2001 had its operations shut down and in October 2002 was designated a terrorist entity for supporting al-Qaeda. In 1999, Help the Needy donated \$9,500 to GRF and in 2000 donated \$7750. According to an affidavit by IRS Agent Thomas Sweeney, “between April 1999 and December 13, 2001, Help the Needy also sent four checks totaling \$36,570 to the Global Relief Foundation for ‘Chechnya relief’ and ‘Kosovo.’” Global Relief Foundation also sent \$18,000 to Help the Needy in August 1998.

23. Also, according to documents filed in the case, Help the Needy sent a \$4,978 check to the SDGT Benevolence International Foundation (BIF) in June 1996. BIF had its assets frozen in December 2001 and was designated a terrorist entity in November 2002 for funding al-Qaeda.

24. Sami Omar Al-Hussayen, one of IANA’s primary employees, was tried in the District of Idaho in 2003.

25. Finally, several of the IANA’s leading officers were involved in several Pittsburgh based Islamic publications, as discussed below.

II. HISTORY OF IANA

26. According to the IANA website, the founders established the group in order to “revive[e] the Islamic nation to its proper state and condition” by “engage[ing] in a complete and comprehensive form of Islamic work... based on the principles of [Sunni Islam]... aim[ed] at bringing together the efforts of many dawah [missionary] activities and coordinating the activities of different Islamic centers and groups.” As stated on the IANA web site, one of the central efforts in that regard is to “[o]bserve and analyze the current events in the Muslim world” and to “[a]ssist the oppressed and tyrannized scholars, Islamic workers, and Muslim masses in any locality.”

27. IANA describes itself as being “founded by a number of individuals and organizations in North America.” IANA and its intricate operational network have since expanded to a number of other U.S. states, including Michigan, Idaho, Oregon, Pennsylvania, and Wisconsin. In fact, over the past decade, IANA has served as part of a well-funded, networked system of radical Islamic entities operating across the western United States including the Dar Makkah Foundation in Denver, Colorado; the Dar Makkah Association in Portland, Oregon; Al-Mutaqla Al-Islami in Washington and Idaho; Attawheed Foundation in Pittsburgh, Pennsylvania; Assirat Al-Mustaqeem (“The Straight Path”), a magazine published in Pittsburgh in 1999-2000; and, Al-Jumuah, a magazine published in Madison, Wisconsin. The entities are linked by shared officers and employees and by financial relationships.

28. IANA Board Chairman Mohammed Al-Ahmari described the meaning of the organization's mission the following way:

As long as Muslims are without fatal, far-reaching, striking power, we will stay under the protection of the super powers because we surrendered ourselves to them... We beg for their defense and mercy, and voluntarily giving them; rather giving themselves, unlimited access to what ever pleases them... We threw away 'And make ready against them all you can of power' behind our backs, we ousted 'Verily! Shooting is the Power', and 'He who learned shooting and forgot it, is not one of us.' The physical power and weapons became great prohibitions in the world of the super powers' reservations! And it will continue to be so until the Ummah wakes up and removes the veil of shame from its face... We at IANA are guarding one of the Islamic fronts that we believe to be important in the revival of the anesthetized Islamic body.

A. DAR MAKKAH FOUNDATION: IANA PREDECESSOR

29. IANA, in its present form, has its roots in the Denver-based Dar Makkah Foundation. According to Shaykh Muhammad al-Jibaaly of the Quran wa`as-Sunnah Society (QSS):

Daar Makkah: An organization... established in Denver Colorado in the 80's. It was very well known for its bookstore containing many Salafi... books and cassettes. When IANA was formed in 1992 (or shortly before that), Daar Makkah's general secretary was Muhammad al-Ahmari, and its office director was Bassem Khafagi. Soon thereafter, these two, as well as others, moved into IANA, and Daar Makkah became much weaker than it used to be, its position and direction being assumed by IANA.

30. Dar Makkah, a Colorado non-profit organization first founded in 1988, was established (according to its own flyers) "to act as another pulpit for Islam in North America. There is a high demand for Da`wa [missionary conversion] to Islam while a new supply dictates that they all should work together and coordinate their work to fill the gaps and compliment the efforts." Another Dar Makkah flyer likewise described the group as "an independent Islamic society concerned with the Islami[c] current issues." According to Dar Makkah's IRS 1023 filing in 1992:

The Organization in the past had started with a narrow objective: to make available Islamic books and literature to the public. The Organization then went into another phase of making Islamic information (books, tapes, lectures, etc.) available. The Organization then had acquired (leased) an office and started raising funds by contacting business people and the public as well as sale of books and tapes. The Organization also organized

lectures, speeches, and got together to provide the right Islamic information and teachings.

31. Also according to Dar Makkah's IRS 1023 filing, the principle basis of the group's "fund-raising program" was "[p]ersonal contacts with selected individuals and businesses in The United States and other countries (mainly Saudi Arabia)."

32. Until its closure in 1994, the Al-Kifah Refugee Center (with offices in Brooklyn, Boston, and Tucson) served as the U.S. branch of *Makhtab-e-Khademat al-Mujahideen* (the "Mujahideen Services Office"), the direct predecessor of Al-Qaida.

33. Phone records from the Brooklyn, NY-office of Al-Kifah indicate that someone at (303)691-2201 in Colorado called the Al-Kifah Center at least once in late 1992, shortly prior to the February 1993 World Trade Center bombing. This 303 telephone number corresponds to the mailing address of the Dar Makkah Foundation at 2040 S. Oneida St. #2A in Denver.

34. In 1989, among other items, Dar Makkah offered its supporters in Colorado reprinted copies of articles from *Al-Jihad* magazine. *Al-Jihad*, at that time, served as the official propaganda arm of *Makhtab-e-Khademat al-Mujahideen*. The coversheet for the reprints carried the Dar Makkah logo and the slogan, "The one who is not concerned about the matters of the Muslims is not part of them."

35. Also in 1989, the Dar Makkah Foundation sponsored approximately \$3,500 worth of travel expenses for Dr. Safar Al-Hawali as he traveled from Jeddah, to New York, Detroit, Denver, Los Angeles, Portland, and back in a tour of lectures and seminars.

36. On March 9, 1991, Dar Makkah sponsored a 5th Annual Cultural Day at the Islamic Center of Denver, headlined by "Dr. Mohammed Al-Ahmary." One of the other two speakers was "Dr. Abdallah Makkawi."

37. Upon information and belief, Dr. Abdallah Makkawi is also known as Abdallah M. Mekkaoui. In June 1987, in a foreword to a work on the subject of Ibn Taimiyya, Mekkaoui thanked a number of individuals for their assistance and support, including:

- Shaykh Muhammad Al-Jibaaly (QSS)
- Saffet Catovic (Benevolence International Foundation [BIF])
- Mohammed Hozien (brother-in-law of Al-Qaida supporter Tarik Hamdi)

38. In Accurint credit reports, Mekkaoui is referenced to the following registered address:

"P.O. Box 1561

Newark, NJ 07102”

English-language booklets bearing this Newark P.O. Box address were also distributed to Muslims on the West Coast during this approximate period. The booklets proclaimed, “Al-Jihaad continues in Afghanistan! Remember your Mujaahideen brethren; and strive to fulfill your obligation in this struggle.” It continued by requesting Muslims “who intend to assist Al-Jihaad in Afghaanistaan” to send letters and money donations to the same Newark P.O. Box linked to Abdallah M. Mekkaoui.

39. In 1993, Dar Makkah published a work entitled “The Importance of the Mosque in Islam” by Dr. Mustafa as-Siba`i. As-Siba`i explained:

The history of the mosques in Islam has proved that from them come the great armies of Islam which rush to fill the earth with Allah’s guidance. From the mosques the beams of the light of guidance emanate for the Muslims and others... We [i.e. the author and his generation] witnessed, when we were still children, how the mosques were the centers of the nationalist movement against the French occupation. From the mosques also came the leaders of the Jihad against colonialism in general and against Zionism (Israel) in specific... The mosque will return to its role in raising real men, graduating heroes, reforming corruption, fighting evil and building society upon the foundation of fearing and pleasing Allah alone. We hope for this to take place, Allah willing, when the vanguard of our purified, believing youths... occupy the pulpits and the rooms of the mosques.

40. Dar Makkah Foundation also offered its finances to jumpstart the formation of the radical organization known as the Islamic Center of Portland (a.k.a. Masjid As-Saber). Masjid As-Saber was first incorporated in May 1983 by a number of prominent Muslims backed by the wealth and prestige of the North American Islamic Trust (NAIT). According to a 1998 Chicago Tribune article, NAIT had “strong ties” to the Quranic Literacy Institute (QLI). FBI Agent Robert Wright, in a sworn affidavit, confirmed that QLI was used in the early 1990s by a group of Arab-Americans as a corporate entity to launder funds for the Hamas terrorist organization. Imad Tarabishy, a Florida surgeon who is on both the board of trustees and board of advisors of NAIT, gave at least \$796,600 between 1996 and 2000 to the Benevolence International Foundation (BIF) and the Global Relief Foundation (GRF). Since 9/11, both non-profit groups have been shutdown and had their financial assets seized for providing material support to designated terrorist organizations, including Al-Qaida.

41. In September 1998, articles of incorporation were re-filed for the Islamic Center of Portland/Masjid As-Saber by Shaykh Mohamed Abdirahman Kariye, Saleh Musleh, Mustafa El-Ogbi, and Mohammad Da`as Fadda in order to “enable Muslims to live with Islamic doctrine.” Since then, the Center has attracted significant radical fundamentalist activity in the United States.

42. On June 5, 1999, the Islamic Center hosted a Muslim student seminar on the “thoughts and personality” of the late Ayatollah Khomeini of Iran. Despite a traditional distinction between Sunni and Shi`ite Muslim fundamentalism, the advertisement for the event explained, “Invitation to Islam is principally invitation to unity... The Muslims must be a united hand against all arrogance.”

43. On October 24, 2001, Ali Khaled Steitiye, a regular worshipper at the Islamic Center of Portland, was arrested on federal gun and fraud charges. Several months later, he was convicted on the basis of the evidence collected by federal agents at his home and in his car, including a loaded 9 mm handgun, an assault rifle, more than 1,000 rounds of ammunition, a machete, \$20,000 in cash, a calendar with September 11 circled in red ink, and evidence suggesting a link to Hamas. Officials close to the investigation indicated that Steitiye had received military training from Palestinian Muslim militants in Lebanon associated with Hamas. In 1984, he had received a felony conviction for theft in 1984 in Oklahoma and, later, in 1986 for forging a U.S. Treasury check in Oregon.

44. The mosque is tightly connected to IANA and the “Dar Makkah Foundation.” At least five of the ten trustees of the Islamic Center (as listed in the mosque’s IRS filings) either hold senior leadership positions at IANA and Dar Makkah, or have been prominently featured as lecturers at IANA events across the United States. This includes the Imam of the Center, Shaykh Mohamed Abdirahman Kariye, who spoke three separate times at the 1998 IANA Conference in San Diego. Masjid As-Saber’s website offers a link to Al Asr, IANA’s online Arabic-language magazine. In May 2001, Al-Asr reprinted three fatwas from radical Saudi clerics close to Usama Bin Laden that openly endorsed “martyrdom operations,” including using “bombing methods or to crash one’s plane on a crucial enemy target to cause great casualties.”

III. LIABILITY

45. In order to achieve its goal of promoting the spread of fundamentalist Islam, IANA and its officers have spent large sums of money on sponsoring extremist political conferences held inside the United States, publishing websites, books, and magazines written by radical anti-American (predominantly Saudi and Kuwaiti) clerics, and by obtaining controlling stakes in a number of prominent American mosques. As a result, IANA was the only American Muslim organization to be individually promoted on the website of Azzam Publications, widely considered to be the premier English-language mouthpiece of Al-Qaida.

46. Indeed, the statements of Mohammed Al-Ahmari, IANA’s president and chairman, are drenched in the paranoid, anti-Semitic and hateful rhetoric that characterizes the driving ideology behind al-Qaeda and Islamic fundamentalism. On December 23, 1999, Al-Ahmari wrote and published an article on the Dura-Salam mailing list, entitled “Step Closer to the New World Order.” Al-Ahmari charged:

Is it then merely a coincident that UN 1284 was drafted by the British, Dutch, and the U.S. ?...The U.S. is doing all this, because of the Kabalist-run White House, Congress, the mass media, and other sectors of the economy. No nation is bold enough to oppose the U.S....This is what is meant by the new world order. That is how the Kabalists will achieve their world control. They use the UN as the cover, NATO as the military wing, and the U.S. firepower as the enforcers. When they achieve their final aim they will spread their Luciferian ideology....and subjugate the world's population.

A. IANA AND SAMI OMAR AL-HUSSAYEN

47. IANA has relied on Sami al-Hussayen for funding, internet development services and facilitating the growth of an ideological base for radical Islam inside the United States. Al-Hussayen is a University of Idaho PhD student currently standing criminal trial in Idaho for materially supporting terrorism. Since May 11, 2001, al-Hussayen has been IANA's official registered agent in Idaho. From November 16, 1999 to February 13, 2003, Sami Hussayen functioned as an employee and official of IANA. Sami al-Hussayen served on the IANA Board of Trustees, whose constitution vests that group with authority over all of the Assembly's activities.

48. Upon his arrest, al-Hussayen's hard drive contained several disconcerting images that demonstrate his devotion to the perverse principles of radical Islam that govern the al-Qaeda terrorist network. Exhibits 16-94 from al-Hussayen's trial include: pictures of Osama bin Laden, Chechnyan mujahideen, photographs of disemboweled bodies. Additionally, exhibit 30 is a photograph in the form of a poster of President Bush and Osama bin Laden facing off with a target super imposed on the President.

49. Al-Hussayen's most disturbing images are not his ideological icons but rather his pictures of potential targets for future terrorist attacks. Exhibit 49 is a map of California with the following locations designated—the Golden Gate Bridge, the Bay Bridge, the Coronado Bridge and Vincent Thomas Bridge. Exhibit 61 is a picture of the F.B.I. headquarters in Washington, D.C; Exhibit 64 is a picture of a United Airlines passenger jet and Exhibit 65 is a U.S. Navy aircraft carrier.

B. SAMI OMAR AL-HUSSAYEN AS A FINANCIAL CONDUIT FOR IANA

50. Beginning in 1998, he served as a financially conduit for IANA, transferring money from the Saudi government as well as from his uncle, Saleh al-Hussayen, to the organization.

51. From at least January 23, 1997, until February 2003, al-Hussayen received and disbursed \$300,000 in excess of his study-related funds, such as his monthly stipend from the Saudi Arabian Government. A portion of these excess funds were provided by Al-Hussayen's uncle, Saleh Abdel Rahman al-Hussayen, who sent him \$49,992 on September 10, 1998, and \$49,985 on September 25, 1998. These additional funds were

held by al-Hussayen and not transferred to IANA until IANA's existing funds were nearly depleted. These funds paid IANA's operating expenses, including employee salaries.

52. Three unique IANA accounts were found on Sami al-Hussayen's hard drive by FBI investigators (Nos. 628800505, 0530025980, 530053115).

53. Al-Hussayen also maintained a checking account in a Michigan bank in his name, but with IANA President Mohammed al-Ahmari's home address and, according to the FBI, al-Ahmari's "apparently exclusive use of the account." The strength of Al-Hussayen and al-Ahmari's relationship is illustrated in the hundreds of phone calls they made to each other.

54. During an IANA sponsored fundraising visit to the U.S. in the weeks leading up to September 11, 2001, Sami al-Hussayen's uncle, Saleh Abdel Rahman al-Hussayen, a senior Saudi cleric and current director of the Two Holy Mosques, met with IANA officials in Michigan. The night before September 11, 2001, Saleh al-Hussayen stayed in the same Marriott Residence Inn in Herndon, Virginia as three of the hijackers on Flight #77 that crashed into the Pentagon. Following the attacks, the FBI attempted to interview the uncle in his hotel room. According to the FBI, the "interview came to an abrupt end when the uncle feigned a seizure, prompting the agents to take him to a hospital where the attending physicians found nothing wrong with him." The FBI was successful in interviewing the uncle's wife and the couple left the country shortly thereafter. Saleh al-Hussayen, spent five years as a member of the Shariah Board at the Defendant al-Rajhi Banking & Investment Company. The al-Rajhi Bank is a key al-Qaeda financial institution.

C. IANA'S WEBSITES AS A FORUM FOR RADICAL ISLAM

55. From at least October 2, 1998 until his imprisonment on February 26, 2003, al-Hussayen provided expert computer services, advice, assistance and support to IANA in the form of website registration, management, administration and maintenance. Al-Hussayen was either the registered agent or administrative contact for IANA's most prominent websites, including www.iananet.org, www.ianaradionet.com, www.islamway.com, and www.alasr.ws.

56. The websites listed above exhibited a fundamentalist Islamic trait and incited violence against the West in a manner consistent with al-Qaeda's ideology and rhetoric. By establishing these websites, al-Hussayen and IANA created a forum from which notorious al-Qaeda Sheikhs (spiritual leaders) could incite thousands of followers to engage in terrorist attacks. Indeed, IANA web sites (iananet.org; ianaradionet.com; islamway.com; alasr.ws; almanar.net) made "over 20,000 impressions a day" on its followers who visited the sites.

57. Two of the most prominent Islamic clerics that were featured on al-Hussayen were Sheik al-Hawali and Sheik al-Ouda. During the 1990's both Sheik's

distinguished themselves by providing the spiritual underpinnings behind al-Qaeda's violent ideology. Osama bin Laden referenced both Sheiks in his declaration of war in 1996. The Sheiks were both in prison at the time, incarcerated by the Saudi government as a result of their increasingly radical sermons that justified violence against both the United States and the government of Saudi Arabia.

58. Al-Hawali and al-Ouda served as mentors to Osama bin Laden. Indeed, the testimony of al-Qaeda turncoat Jamal Ahmed Al-Fadl during the Embassy bombings trial indicated that bin Laden was in direct contact with the two men:

Q. Wasn't Mr. Bin Laden in contact with religious scholars in Saudi Arabia?

A. Yes, he got two scholars.

Q. Didn't he talk about the scholars who were imprisoned in Saudi Arabia?

A. Yes, Salman al Auda (Ouda) and Safar al Hawali.

59. During their imprisonment, al-Qaeda and its affiliate groups vigorously defended the Sheikhs and when terrorist attacks occurred, al-Qaeda often stipulated that in order for the attacks to stop, Saudi Arabia must release al-Hawali and al-Ouda. In the Bond Hearing of Sami Al-Hussayen, FBI Special Agent Mike Gneckow recounted how al-Qaeda's 1998 attack on the U.S. Embassies in East Africa was accompanied by letters taking credit for the attack and demanding the clerics' release:

Immediately prior to the embassy bombings in 1998, there were three letters that were faxed to three different media outlets in Europe claiming responsibility for the bombings. In two of the letters, there were specific conditions that were laid out as to how the violence would stop. One of the conditions -- and it was -- essentially the same condition in each of these two letters called for the release of Sheikh Al-Hawali, Sheikh Al-Awda and the (inaudible) sheikh in the United States for the 1993 World Trade Center.

60. This type of attack followed by the demand to free the Sheikhs occurred previously in 1995, according to Special Agent Gneckow:

In 1995, there was a bombing of a National Guard armory - or a National Guard facility in Saudi Arabia. There was a fax to CNN claiming responsibility for that particular attack and in that attack, it claimed that this act was in retaliation for the imprisonment of Al-Hawali and Al-Awda(Ouda).

61. Several tapes of al-Awda preaching for jihad were found among a former al-Qaeda safe house in Afghanistan after September 11, 2001. Special Agent Gneckow explained at al-Hussayen's bond hearing:

- Q. Another event that I would like you to address regarding house or a facility associated with Al Qaeda, a search of and things found that related to the Sheikh Al-Awda(Ouda).
- A. Post 9/11 during a search of a former Bin Laden house in Afghanistan, there were tapes of Sheikh Al-Awda(Ouda) that were in the house.
- Q. And the tapes dealt with what, generally speaking?
- A. They were generally motivational speeches, talking about Jihad, talking about -- basically motivational sort of speeches. Lectures.

62. Safar al-Hawali was one of the original incorporators of the Mercy International Relief Agency (MIRA) in Dublin. MIRA, working as a front for al-Qaeda, was deeply involved in the planning and funding of the 1998 U.S. Embassy bombings in Kenya and Tanzania.

63. Mounir Motassadeq, convicted in Germany as an accessory to over 3,000 counts of murder for his involvement in the September 11 attacks, had the numbers of both Salman al-Ouda and Safar al-Hawali in his phonebook, indicating that Motassadeq was in contact with them in the time leading up to the September 11 attacks.

64. On July 10, 2002, the Qatari television channel Al-Jazeera interviewed Al-Hawali by telephone. He referred to America as a “tyrannous and evil nation that Allah is manipulating, unbeknownst to it, until it reaches the end to which it is sentenced.” He added, should the U.S. and its allies attempt to interfere with “the land of the two holy places” [Saudi Arabia]:

... it will have no protection from the cruelty of God and the vengeance of the soldiers of Allah, the mujahideen. It will have no protection, even if it digs a hole in the earth or seeks refuge in space. Holes in the ground in which to hide every time a plane deviates from its course will not help those who put forth this kind of proposal... they will find no one who loves martyrdom more than we [do], and no one more willing to die—as this is the hope of every man in this land. While the American young people, including Clinton, evade military service, our young people meticulously do this service.

65. FBI intercepts of phone calls and emails depict a relationship between IANA trustee al-Hussayen and both Sheikh al-Ouda and Sheikh Safar al-Hawali. FBI Special Agent Michael Gneckow testified that the intercepts, “... revealed one thing, that the defendant has an extreme amount of respect for Sheikh al-Ouda. He [al-Hussayen] has operated in the capacity of assisting with setting up web sites that Sheikh al-Ouda can use as a vehicle to preach his message to – as I’ve stated before, to the widest audience possible.” Agent Gneckow also stated that, in one intercept, Sheikh al-Ouda “deferred to the defendant as being the ... manager of the web site and he deferred decisions with regard to the web site to him.”

66. Agent Gneckow also testified that the intercepts reveal a similar relationship between al-Hussayen and Sheikh Safar al-Hawali, “Again, the interceptions show a very close link between the defendant and Sheikh al-Hawali, the setting up of web sites, the providing of vehicles for extended communication, telephonic contact with intermediaries of Sheikh al-Hawali. Further evidence of al-Hussayen’s relationship with Sheikh al-Awda and Sheikh al-Hawali was discovered in materials seized during the search and arrest of al-Hussayen. In his possession was a phone book that had both Sheikhs’ telephone numbers written in Arabic.

67. The website www.alasr.ws was owned by IANA and run by Sami al-Hussayen, who registered the site on September 11, 2000, is an Arabic language internet magazine. On May 15, 2001, www.alasr.ws published statements by three radical Sheikhs, one of which was Sheikh Ouda. The statement, titled “Suicide Operations,” advocated killing a great number of enemies through a suicidal takeover of an airplane and crashing it into an “important location”—“the mujahid warrior must kill himself if he knows that this will lead to killing a great number of the enemies. In the new era, this can be accomplished with the modern means of bombing or bringing down an airplane on an important location that will cause the enemy great losses.”

68. The nineteen 9/11 hijackers had a clear ideological motive for their actions. As part of their fundamentalist interpretation of Islam, they required an affirmation that their acts were sanctioned by the faith and worthy of reward in the afterlife. This type of affirmation is customary in Islamic terrorists planning suicide attacks and can only come from a respected religious leader. Sheikh Hamid al-Ali and Sheikh Ouda are known fundamentalist Sheikhs and two of the few with the authority to issue such a religious justification. The article referenced in (31), which was published in May 2001, is also an appropriate time-frame in regards to the attacks on September 11. Also, the terminology used in the article, such as “bombing or bringing down an airplane on an important location that will cause the enemy great losses” is unusual in its specificity of the tactics used in the attacks. The websites listed above provided radical Saudi clerics a medium to communicate their toxic worldview to a mass audience and is a proximate cause of the damages suffered by the Plaintiffs.

69. On June 19, 2001, IANA’s website www.islamway.com published an article by Salman al-Ouda that was republished on his website, www.islamtoday.net, on November 4, 2001. According to the Affidavit for the Search Warrant, this article:

...justified and advocated suicide bombings if certain conditions were met, namely: (1) that the purpose is to assist Allah’s religion; (2) that ‘the attacker is almost certain that his act will have some benefit, either by inflicting the enemy with casualties or injuries, by encouraging the Muslims to fight the enemy, or by weakening the enemy’s resolve by showing them what a single man is capable of...[;] (3) that the act is against ‘unbelievers who have declared war against the Muslims...[;] (4) that ‘the act is in their countries or in countries under their rule, where

Muslims need to resist them and expel them...[;] and (5) 'to be approved by the parents of the attacker...'

70. By publishing al-Ouda's and other al-Qaeda Sheikhs' statements online, IANA is supporting al-Qaeda's efforts to indoctrinate and incite followers worldwide.

71. Just two days before the attacks, on September 9, 2001, an individual posted a statement on IANA's website www.islamway.com that he was leaving Afghanistan "on duty" and that "Jihad is the only means to eradicate all evil on a personal and general level[;]" that "[t]he only answer is to ignite and trigger an all out war, a worldwide Jihad; and that "[w]e will do our best to ignite this war, may Allah protect us."

72. Among other items featured for download on www.islamway.com were Arabic-language copies of the following two Al-Qaida propaganda videos:

- **The Martyrs of Bosnia** (a.k.a. Shuhadaa Al-Busna)
 - The video *Martyrs of Bosnia* depicts in graphic detail the 1992-93 civil war in the Balkans, as seen through the eyes of the Arab-Afghan mujahideen under the command of Al-Qaida member Abdelrahman Al-Dosari (a.k.a. Shaykh Abu Abdel Aziz "Barbaros") and Al-Gama`at Al-Islamiyya commander Anwar Shaaban. During the video, a number of other past and present Al-Qaida members are featured subjects of discussion, including Abu Zubair Al-Madani (a cousin of Usama Bin Laden) and Abu el-Ma`ali (a.k.a. Abdelkader Mokhtari), a notorious Algerian GIA terrorist based in Bosnia.
- **Operation Badr** (a.k.a. Badr Al-Busna)
 - This video, produced by the Arab-Afghan *Kateebat Al-Mujahideen* ("Mujahideen Battalion") in Bosnia led by Abu el-Ma`ali, depicts mujahideen involvement in the final battles of the Bosnian civil war. The video also eulogizes the fallen Al-Gama`at terrorist leader Anwar Shaaban. A number of suspected Al-Qaida members are additionally featured in this video.

73. Lastly, the IANA websites operated by Al-Hussayen had ties to Hamas and Abdullah Azzam. Azzam Publications, an official al-Qaeda propaganda site named after Osama Bin Laden's spiritual mentor, Abdullah Azzam, was a forum for al-Qaeda publications and communications that called for jihad against the West. The websites that Azzam linked to espoused like-minded Jihadist ideology. One of the websites that Azzam linked to was www.iananet.org, IANA's official website.

74. A webpage on IANA's www.islamway.com was devoted to jihad in Palestine from October 2000 to September 2002 called upon its viewers to contribute to Hamas. IANA engaged in terrorist support activity fully knowing that it was engaged in unlawful activity. As an example, an email that IANA officer Sami Al-Hussayen received soliciting a donation for Hamas on April 15, 2002 explicitly stated that it is from "the

battalion of the martyr Ezeldeen Al-Qassam” of “the military wing for the Islamic Resistance Movement” and money was needed to arm fighters against the “Zionist occupiers.” The IANA website www.islamway.com requested donations be sent to IANA, which funded the creation and maintenance of these websites. To generate support for the Chechen jihad, www.islamway.com page carried a description of the “duty” of Muslims. In the page accessible from at least April 2000 to August 2001, it stated that the viewers should engage in “jihad of the self” or should send money to support those who fight in jihad.

D. IANA AND JIHAD CHAT ROOMS

75. In early 2000, www.islamway.com and other Arabic language websites sponsored by IANA and maintained by Mr. Hussayen started advertising his websites through an aggressive e-mail campaign that promised other Muslims a forum to discuss Jihad. The invitation to join was titled "Cry and Call to Muslims". It encouraged people to fight the idolater with your money, your selves, your tongues and your prayers. This e-mail group grew to 2,400 members and served as a communications platform for individuals who wished to engage in violent jihad. Mr. Hussayen's status as a moderator of the internet e-mail group gave him various privileges with respect to the acceptance, retention and deletion of messages posted to the group.

76. On February 25, 2003, an appeal to Muslims was posted urging individuals to provide information about valuable targets for attacks, particularly in the Middle East. The long list of requested targets included American military bases, the logistical support for bases, the residences of civilian workers, facilities of American oil companies and routes followed by oil tankers.

77. The internet e-mail group also served as a platform for IANA and Mr. Hussayen's direct fundraising appeals. In February 2000, Mr. Hussayen posted a message to all group members urging them to donate money to support those who were participating in violent jihad in order to provide them w/ weapons and physical strength to carry on with the war against those who kill them. It was sent each month thereafter as a monthly reminder to support violent jihad.

E. IANA PUBLICATIONS

78. IANA maintained close contacts with several Islamic publications that endorsed radical Islamic views.

79. In fact, Assirat, produced in Pittsburgh, Pennsylvania starting in 1991, was the creation of a group of North American Muslims, many of whom are senior members and officials of IANA. Assirat regularly published articles about IANA and IANA's officers contributed articles to the magazine or sat on its advisory board.

80. Assirat was produced by “Dar Assirat for Dawa and Media,” a “non-profit Islamic media organization that is concerned with using and developing the printed and

audiovisual media materials to be a means of calling to Islam.” The Advisory Committee of Dar Assirat included:

- Bassem Khafagi
- Shaykh Abdurrahman Al-Mahmoud (Saudi Arabia)
- Ali Al-Timimi
- Shaykh Mohammed Al-`Abdah (Britain)
- Shaykh Mohammed Al-Mahdi (Yemen)

81. Assirat Al-Mustaqeem, during its short existence, gained a reputation as one of the most radical Arab magazines in print. According to its founders, Assirat is “a monthly Islamic magazine that is concerned with Islamic Revival issues... [and] covers the most important da`wah, intellectual, and political issues of Islamic Revival.” The October 1998 issue of Assirat called the United States a “strategic target,” while the magazine’s last issue in July 2000 advocated jihad against the West.

82. Two of Assirat’s writers, Khalid Ayed and Mulhim El-Tayeb, used to share a Portland, Oregon address with Wadih El-Hage. Wadih El-Hage, a former personal secretary to bin Laden, has been sentenced to life in prison for his role in the 1998 U.S. Embassy bombings in Africa.

83. The January 2000 edition of Assirat carried the following editorial titled, “In The Land of Ice Cream,” by “Abdallah Abd`al Aziz”:

Behind a wall of tears, he looks into the wide horizon, and finds nothing but despair. Again and again, he looks, but sees nothing worth seeing. The place is a big prison of high-rises, rows upon rows of them. They call it civilization. Poor fellow, Abu al-Mawt [“Father of Death”]. He imagines he was back in Afghanistan... Poor fellow, Abu al-Mawt. This is the land of the infidels... He puts his hand in his pocket to get out the money and he finds a book. He looks at it, it is the Qur`an. Poor fellow, Abu al-Mawt, he is suffering from amnesia. He opens the Qur`an and reads: ‘A Gift from Abu Jihad to Abu al-Mawt.’ Tears stream down his cheeks—Abu Jihad was his best friend. They were comrades in their love for Allah, but Allah has favored Abu Jihad with death. Poor fellow, Abu al-Mawt. His sorrow swells and he sobs. He sees the traces of blood on the Qur`an. Abu Jihad was killed with the Qur`an in his hand... Poor fellow, Abu al-Mawt is lonely, in exile. His home is lost. He sits and remembers and his heart is bursting, he is shaking like a feather. The [guesthouse] is a beehive of action... A group is going tomorrow to the al-Farooq training camp... The village of Pabi, the gate of al-Tal, the river of Jalalabad, the mountains of Jaji, the desert of Kandahar, the snow of Jerdiz, a mortar shell, the dust of battle, the frontline, the ‘Green Brigade.’... ‘Would it be that after the Prophet has abandoned their land, you would accept to prosper among the infidels? Haven’t you found the path of the Prophet, haven’t you heard the songs of the caravan [of martyrs]?’

84. The relationship between IANA and Assirat did not end when the magazine folded in July 2000. Two Algerians who wrote for the magazine are now on IANA's staff. They are among a number of former Assirat staff and other men who have moved between Pittsburgh and other U.S. cities, associating with organizations or individuals with known or suspected ties to Islamist movements.

- Assirat's former managing editor, Khaled Guerdjouma, now writes for the IANA's web publication known as Al Asr ("The Era"). IANA published a booklet by Guerdjouma—under the pen name Khalid Hassan—on Islamic movements in his native Algeria. Guerdjouma has reportedly since returned to Algeria.
- Redouane Mohammed Azizi, a fellow Algerian and friend of Guerdjouma, wrote for Assirat in Pittsburgh as well. He moved recently to Ann Arbor to become a writer for Al Asr. Interviewed by journalists from The Pittsburgh Tribune in IANA's office, Azizi acknowledging knowing other Muslims connected to Assirat and other IANA-related organizations in Pittsburgh and described them as "close-knit."

85. Tawfiq Tabib (a.k.a. Tawfig Tabib, Tawfiq Tobib) was a well-known correspondent for Assirat al-Mustaqeem. On December 13, 1991, Tabib was arrested by U.S. Customs as he attempted to enter the United States through JFK Airport in New York. Two months later, he was subsequently indicted on Class B felony charges that he had kidnapped his own children from their recognized legal guardian (his estranged wife Hanan Ali), and deliberately brought them overseas for three months to keep them out of her reach.

86. In August 1994, Tabib interviewed senior Al-Qaida recruiter Abdelrahman Al-Dosari (a.k.a. Shaykh Abu Abdel Aziz Barbaros). During his interview with Tabib, Al-Dosari commented that he had first arrived in Afghanistan in 1984, and had then begun his "journey with Jihad." Moreover, as he explained, "I am still following this same path."

87. In 1991, Tabib filed articles of incorporation for a Eugene, Oregon-based mosque known as "Masjid Al-Sunnah, Inc." These papers indicated that Tabib was the registered agent and President of Masjid Al-Sunnah. Below his name and address, Tabib noted that upon any possible dissolution or liquidation of this corporate entity, "the assets shall go to DAR MAKKH[sic] In Denver, Colorado."

F. IANA FINANCIAL CONNECTIONS TO AL QAEDA

88. As part of its mission to spread Islam, IANA sponsors annual conventions. IANA has several times received financial assistance from and provided financial assistance to Islamic charities that finance Islamic terrorist groups.

89. Defendant Benevolence International Foundation (BIF) provided financial support to IANA. BIF had its assets frozen in December 2001 and was designated a

terrorist entity in November 2002 for funding al-Qaeda. During al-Hussayen's detention hearing on March 11, 2003, FBI Special Agent Michael Gneckow testified that BIF sent money to IANA that went to "assist sponsoring conferences and the like." The following is a chart of money donated by the BIF to IANA from December of 1996 through May of 2001:

<u>Clear Date</u>	<u>Amount</u>	<u>Name/Source</u>	<u>Bank Account</u>
December 16, 1996	\$320	BIF	NA
November 18, 1998	\$285	BIF	NA
May 4, 2000	\$415	BIF	NA
May 2, 2001	\$3,000	BIF	NA

As part of its mission to spread Islam, IANA sponsors annual conventions. Defendant Global Relief Foundation (GRF) participated at these conferences and sent money to IANA to offset the conferences' costs. In 2000, GRF's name appeared on a list being circulated by the government of charities allegedly funding terrorism. On December 14, 2001, federal authorities raided the offices of the Global Relief Foundation as well as the residences of several of its directors. Simultaneously, the U.S. Treasury froze GRF's assets. The following is a history of contributions from GRF to IANA:

<u>Clear Date</u>	<u>Amount</u>	<u>Name/Source</u>	<u>Bank Account</u>
January 8, 1995	\$250	GRF	NA
November 22, 1996	\$175	GRF	NA
December 9, 1996	\$360	GRF	NA
December 23, 1997	\$357	GRF	NA
March 27, 1998	\$7000	GRF	NA
November 25, 1998	\$115	GRF	NA
November 25, 1998	\$170	GRF	NA
April 14, 2000	\$415	GRF	NA
May 16, 2000	\$1450	GRF	NA
December 14, 2000	\$400	GRF	NA
January 29, 2001	\$159.54	GRF	NA
April 11, 2001	\$6000	GRF	NA
October 9, 2001	\$4,500	GRF	NA

90. Additionally, IANA officer and website developer Al-Hussayen provided financial support to Global Relief Foundation. According to FBI Special Agent Michael Gneckow, the FBI investigation revealed "that there have been checks – personal checks by the defendant to Global Relief and on the memo line of checks, there is I believe again in Arabic a notation that money is to go to Chechnya." Gneckow testified that he believes al-Hussayen intended to fund Mujahideen in Chechnya:

Investigations around the country that come across information such as this, personal checks with notations on memo line, seem to indicate that the people that are sending the money have a specific purpose for that check. In this case, it's our belief that those checks were written

specifically to go to the Mujahideen in Chechnya.

91. The Egyptian Islamic Jihad (EIJ), which merged with al-Qaeda, is a designated Foreign Terrorist Organization (FTO) by the U.S. As such, it is illegal for an individual to send money or have significant contact financially or otherwise with the EIJ or any of its members. A former EIJ member, Amal Saltan, is the writer and has some controlling interest in the internet magazine al-Manar. In the late 1990s and early 2000s, IANA officer al-Hussayen sent \$15,200 directly to Amal Saltan. Al-Hussayen has also provided support to Saltan's al-Manar internet magazine in his role as the administrative contact for www.almanar.net.

The IANA also received donations from the Al Rajhi Banking & Investment Group. The Al-Rajhi Group funded the SAAR Network—a complex web of Virginia based corporations and charities that funneled money to al-Qaeda and other terrorist entities. Defendants International Islamic Relief Organization, SAAR International, the Muslim World League, the SAFA Trust, Inc. and Sterling Management Group, Inc are all members of the SAAR Foundation. In March of 2002, U.S. authorities raided the Virginia offices of all the charities and corporations involved with the SAAR Foundation. The following is a history of contributions from Al Rajhi Banking and Investment Group to IANA:

<u>Clear Date</u>	<u>Amount</u>	<u>Name/Source</u>	<u>Bank Account</u>
April 15, 2002	\$100	Al Rajhi Trading Est.	HSBC Republic 606019841
July 16, 1996	\$7660	Al Rajhi Banking & Investment Corp. Traveler's Checks	
July 5, 2000	\$13,333	Abdul Rahman Al Rajhi	Al Rajhi Banking & Investment
May 19, 2000	\$25,0000	Abdulrahman Abdullah Al Rajhi	Al Rajhi Banking & Investment
April 30, 2001	\$29,981	Suliman Abdul Aziz Al Rajhi	Al Rajhi Banking & Investment (Wire Transfer)

92. IANA has also been involved in several business agreements with the Defendant the Al Haramain Foundation. Al Haramain is a Saudi non-profit evangelical charity that engages in relief works around the world. On March 11, 2002, the U.S. Treasury moved to freeze the assets of the Al Haramain branches in Somalia and Bosnia, citing that they were funding terrorism. According to numerous media outlets, Al Haramain was also banned in Kenya shortly after the devastating U.S. Embassy bombings in 1998 because the charity was believed to have had a role in the attack.

93. September 15, 1999 Fax - Al-Hussayen, acting on behalf of IANA, signed a contract with Albuthi of Al Haramain to sell and distribute 50,000 copies of "Meanings of the Holy Koran." IANA is responsible for selling and distributing books for \$7 a copy. IANA also must open a bank account under the name of the project and provide Al

Haramain with monthly reports on sales and distribution activities. The two organizations agreed to share 50% of profits.

94. A letter was sent from Al-Haramain to the brothers at the board of directors of the Ihsan School, Syracuse, New York State, USA, stating that "Based on the agreement btwn you and brother Suleiman Bin Hamad Albathi concerning the supervision of Ihsan School..." The letter continues that they will supervise the school administration if the land ownership of the school is transferred to the foundation, with Al-Haramain handling school operational expenses. The letter also states that if Al-Haramain ceased to supervise that school, it will return land ownership to IANA. The agreement is signed by Al-Haramain General Manager, Aqil Bin Abulaziz Al-Aqil.

95. A document dated November 10, 2001 lists c/o Sami Al-Hussayen , Al-Haramain Foundation and Distributors: IANA - Contract between World Library for the Islamic book and Al Haramain Charitable Foundation (represented by Albuthi) for printing of 50,000 copies of the "Holy Koran definitions" into English for \$250,000 w/ proof of delivery to "our Foundation representative brother Sami Al-Hussayen."

96. A contract between the World Library for the Islamic Book represented by Mohamad Bin Abdulmohsen Altuwaijri and Alharamain Charitable Foundation represented by Suleiman Bin Hamad Albuthi. World Library "is to print 50,000 copies of the translation into English of the "Holy Koran definitions"...according to the sample presented to the foundation representative in the US, brother Sami Al-Hussayen". The total cost is \$250,000. "Place of delivery: Inside the United States, as determined by our Foundation representative brother Sami Al-Hussayen whose address is the following: C/O Sami Al-Hussayen, Sweet Ave. #6311 Moscow, ID 83834, USA, Phone: 208-885-8980." The contract requires that Al-Haramain Foundation's name be written on books w/ Ashland, Oregon and Springfield, Mo addresses. The distributor is identified as IANA. The contract signed by Altuwaijri and Albuthi.

97. A Letter to Al-Haramain from IANA saying that the organization was contacted by Ahmad Othman from "Amana" company regarding problems with a shipment of Korans the company received. The books did not have an Al-Haramain or IANA logo imprinted in the volumes. Amana offered to trade them for good quality hardbacks without the logo. The letter asks Al-Haramain to make a decision. The letter is signed by Al-Murabit.

98. Between June 8, 2002-June 12, 2002, multiple e-mails were exchanged between Almurabit, Alahmari and Al-Hussayen regarding the Albuthi (Al-Haramain) banner, but also about transferring a radio station server to Amanah. Almurabit agrees with transfer but since "...there are other sites on the server and I do not want to take any steps without your technical knowledge and expertise in the field." Al-Hussayen responds "What is the Al-Haramain banner we have on that page?" Almurabit responds to the banner inquiry and that they are awaiting his answer re: the radio server.

99. Other emails are included from Almurabit to Al-Hussayen. The e-mails contain attachments of pictures of the site with banners, asking if this was per agreements with Albuthi (Albuthi says banners not there per agreement). Al-Hussayen responds to Almurabit saying that he sees Almurabit has placed the banner on the site. Almurabit says that he reviewed what is written between him (Al-Hussayen) and Al-Haramain and he "does not understand their objections, we even added the advertisement that is located on the top also." Al-Hussayen also invites Almurabit to view the new Reciter program "which contains four lectures and four interpretations in seven languages." Almurabit tells Al-Hussayen "we ask Allah to reward you and those who worked on it." Also, Al-Hussayen asks whether "Omar" is following up and collecting donations for Dawah project (library) that Al-Hussayen transferred to Omar.

100. An e-mail from Almurabit (IANA) to Alahmari. The cc: Al-Hussayen forwarding messages Islamway site report for the month of May. The email indicates that the report is being sent to Ibrahim Al-Sheikh of Al-Haramain for "follow-up." Almurabit tells Al-Hussayen that he doesn't "...want to take any step without your approval..." when he discusses moving other sites to the Amanah server.

101. E-mails exchanged from June 12-June 13, 2002 between Islam Almurabit, Suleiman Albuthi, Al-Hussayen, and Imamuddin Shaikh regarding a site report for the month of May for the Islamway Radio site. The site report was sent to Albuthi. Albuthi responds to Almurabit by saying that so far he (Almurabit) has not placed the banner on the site linking directly to Al-Haramain according to the agreement. Almurabit tells him they placed it on the site last week. Albuthi says it still is not there and cc's Al-Hussayen with his message. Almurabit then asks for Al-Hussayen's help with the banner issue.

102. Sami Al-Hussayen called Alahmari in Qatar. Al-Hussayen asks if he received the deposit for the trust? Alahmari acknowledges receipt of the money and says it was "...about 7,000...we were planning for the salaries of the youths, then suddenly they gave us the news..." They discuss a book distribution agreement. Al-Hussayen says "We are not losing anything in the deal...as the cost of it, 1/4 million, has been paid by 'Al-Haramain'." They continue the discussion regarding the sale of the books. Al-Hussayen says "We are not losing the printing...they supported and are supporting us. If you want me to write you a check for one year of the warehouse, I will have not problem to do so...I'll write it, but it is not worth it to lose 1/4 million dollars. It is not worth it to lose Al-Haramain support. If we lost Al-Haramain today, lost Al-Jumah tomorrow and Al-Rajhi after that, who will support us?" They discuss printing additional copies of a magazine in Saudi Arabia. Alahmari and Al-Hussayen discuss money with Abu Assem (Aqil Bin Abdulaziz Al-Aqil (Al-Haramain)).

103. Another telephone call was placed by Al-Hussayen to IANA (Omar Bunu). Al-Hussayen asks Bunu to request that Islam Al-Murabit send a letter to Al-Haramain about their support of Islamway. Al-Hussayen says he spoke to Al-Haramain about renewing their agreement for another 6 months and was told that they (Al-Haramain) are pleased with IANA's cooperation but asked that IANA send a letter thanking them for their support. Al-Hussayen asked for a copy of the letter and told them

that he will follow up with them from there. Instructions were given to send the letter to Ibrahim Al-Sheikh. Al-Hussayen also discussed CD's for sale with Bunu...reciters (sheikhs) on each.

104. Another telephone call between Al-Hussayen and an unknown male about the NOURSA campaign. Al-Hussayen was asked about "the brothers at *Al-Multaqa*." Al-Hussayen was told that a "site" had been set up for the conference. The unknown male told Al-Hussayen that Sheikh Salman and Sheikh Safar would be included by video conferencing. Al-Hussayen asks him to check with the people at Al-Haramain to see if they are going to renew their contract with Islamway. Al-Hussayen also discusses "the idea of opening the door for getting donations to Islamtoday via the internet, using credit cards." They discuss how this cannot be done in KSA but rather has to be done in the U.S. Al-Hussayen asks the unknown male to look into it because, "As for me, I am a student, I cannot do anything."

105. An E-mail from Al-Hussayen to Almurabit (IANA), cc: Alahmari (response to Almurabit's e-mail same date) re: sending Ibrahim Al-Sheikh (Al-Haramain rep. tied to Internet Committee) an amount for hosting the server (to be given to Brother Bandar thru Suliman (Albuthi?)). The message discusses "NUSRA" campaign and associated international conference to be held in Britain at the beginning of November with Al-Timimi, Sheikh Gaafar (Idrees), Jamal Zarabozo...Sheikh Salman and Safar will participate by phone - Al-Hussayen suggests advertising/lectures/books etc. by the "assembly" to support the campaign in America and Canada.

106. An IANA Fax coversheet from IANA to Mr. Ibrahim Al Al-Sheikh - Al-Haramain Charitable Foundation. Subject: Agreement renewal for Islamway funding.

107. An IANA letter to Mr. Ibrahim Al Al-Sheikh confirming the Al-Haramain Foundation's support agreement for the IANA website for another year. It was signed by Islam Almurabit, IANA Executive Officer.

108. An E-mail from Almurabit (IANA) to Al-Hussayen forwarding an e-mail from Abu Abdallah (likely Waleed Buraih). The message is a request from Al-Haramain Charitable Organization asking Al-Hussayen to send the organization a report about "your site Islamway" as soon as possible.

109. A telephone call between Al-Hussayen and Abu Moaz (likely Sheikh Salman Al-Ouda). Abu Moaz refers to Al-Hussayen as "Sheikh." They discuss how to identify the number of people who visit the site...as many as 40,000 per day. Al-Hussayen tells Abu Moaz "Not only does the broadcasting attract people but the presence of the archives too." Al-Hussayen confirms that he wrote a new program for the Live Islam site which tracks the number of visitors to each page. The site received 300,000 visits per week. Al-Hussayen talks about the advantages to having lots of links from your website. "For example, those who listen to the radio of Al-Haramain will end up going through us." Al-Hussayen says "I designed all the pages to revolve around Live Islam...Why Live Islam?, What is Live Islam?, Live Islam's services and solutions, with

our prices." Abu Moaz tells Al-Hussayen that he transferred the amount he requested to the account information he forwarded to him.

110. Al-Hussayen received a telephone call from an unknown male regarding an agreement between IANA and IBHAR to develop the "Journey to Discover Islam" project. Al-Hussayen is worried that the agreement doesn't have a provision to keep IBHAR from creating the project with IANA, and then taking the same project and marketing it jointly with another DAWA organization such as CAIR or Al-Haramain. The unknown male talks about his first agreement with IANA that was superseded by the agreement with IBHAR (first contract in the name of Al-Sath or Al-Souah). Al-Hussayen asks him about the web design cost for 'Help the Needy' because he wants to do something similar for Live Islam. The unknown caller asks if "'Live Islam' is for the Assembly or undeclared ownership?" Al-Hussayen responds, "for the Assembly. It is now registered as an independent corporation in Saudi Arabia for spreading Islam, but the Assembly's, I mean the diffusion, is not declared." Al-Hussayen concludes, "We will plug in and fill a ready application in Fusion Code. Okay?"

111. An officer of IANA's Canada branch ran a mosque that harbored an al-Qaeda operative. Bahaa Elbatal is a director of the Islamic Assembly of North America in Canada. Elbatal is also the Secretary at the mosque in Montreal where Ould Slahi found refuge and led prayers. Slahi is a senior al-Qaeda operative that provided assistance to both the 1998 Embassy Bombing attacks and the failed Millennium plot.

112. The SAFA Trust, Inc. a Virginia-based network of Islamic charities under investigation by the FBI for financing Hamas and al Qaeda contributed \$75.00 (Check #1568) to IANA on 8/14/95. No account number listed.

113. The IANA also received a donation from Mohammed Hussein Al Amoudi. On March 14, 1998, Al Amoudi transferred \$300,000 from his account ABN Amro to IANA's account at First American bank N.A. Michigan (National City Bank).

114. Al Amoudi is also connected to another federal terrorist investigation in the United States in Herndon, Virginia. In 2000 Al Amoudi paid more than \$50,000 in consulting fees to Sterling Management Group, Inc., one of the more than 100 entities in the SAAR network—a group activists suspected by the Justice Department of financing terrorism.

115. IANA knew or had to know that the radical and intolerant ideology it was advocating on its websites, in its publications and at its conferences was a driving force behind terrorist attacks committed in the name of Islam.

116. IANA knew or had to know that the charities it was receiving donations from and donating money to, such as Al-Haramain, BIF, SAAR Foundation, the SAFA Trust, MWL and GRF, were involved in the financing of Islamic terrorist outfits.